

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler  
v. : Crim. No. 09-523  
GARY TABORN : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Joseph Mack, Assistant U.S. Attorney), and defendant Gary Taborn (by David Holman, AFPD) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has a right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to an additional continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:


1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;

2. Defendant has consented to the aforementioned continuance; and

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 4<sup>th</sup> day of November, 2009,

IT IS ORDERED that the period from November 17, 2009 through January 15, 20~~10~~, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

  
HON. STANLEY R. CHESLER  
United States District Judge

*David A. Hohman*



U.S. Department of Justice

*United States Attorney  
District of New Jersey*

970 Broad Street, Suite 700  
Newark, NJ 07102

973-645-2786

November 2, 2009

VIA ELECTRONIC MAIL AND HAND DELIVERY

Hon. Stanley R. Chesler  
United States District Judge  
U.S. Post Office and Courthouse  
Newark, New Jersey 07102

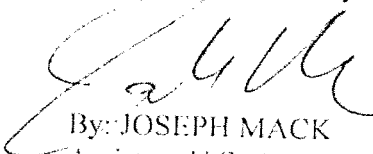
Re: United States v. Gary Taborn  
Crim. No. 09-523 (SRC)

Dear Judge Chesler:

In accordance with my conversations with counsel for the above-referenced defendant, enclosed please find an original and two copies of a proposed form of order excluding the time period from November 17, 2009 through January 15, 2009 so that the parties may finalize a plea while mindful of the dictates of the Speedy Trial Act. The defendant has expressed an interest in exploring a timely resolution, and the parties need additional time so that the defendant may review discovery prior to entering into any plea agreement. If the form of Order meets with Your Honor's approval, please execute it and have your deputy file the original with the Clerk of the Court.

Respectfully yours,

PAUL J. FISHMAN  
United States Attorney

  
By: JOSEPH MACK  
Assistant U.S. Attorney

cc: David Holman, AFD